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In re Application of
DERVAN, Peter B.
U.S. Application No.: 09/807,355
PCT No.: PCT/US99/20971
Int. Filing Date: 10 September 1999
Priority Date: 11 September 1998
Attorney Docket No.: 025098/2802
For: REGULATION OF HER2/neu
ONCOGENE EXPRESSION BY
SYNTHETIC POLYAMIDES

DECISION ON
PETITION FOR REVIVAL
UNDER 37 CFR 1.137(b)

The "Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 10 April 2001 in the above-captioned application is hereby GRANTED as follows:

Applicant's statement, "[t]he entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" satisfies the requirements of 37 CFR 1.137(b)(3). The appropriate basic national fee, additional claim fee and petition fee for a small entity have been submitted. Therefore, the requirements of 37 CFR 1.137(b) have been satisfied.

However, an oath or declaration of the inventors pursuant to 35 U.S.C. 371(c)(4) was not provided. Accordingly, the application is being forwarded to the United States Designated/Elected Office for further processing including mailing a Notification of Missing Requirements (Form PCT/DO/EO/905) for failing to provide a declaration in compliance with 37 CFR 1.497 (a) and (b) and surcharge fee pursuant to 37 CFR 1.492(e).

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